

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

(U.S. APPLICATION NO. (If known,

see 37 C.F.R.1.5)

09/446769

INTERNATIONAL APPLICATION NO.

PCT/JP99/02243

INTERNATIONAL FILING DATE

27 APRIL 1999

[EARLIEST] PRIORITY DATE CLAIMED

27 APRIL 1998

TITLE OF INVENTION

**DATA STORAGE AND RETRIEVAL APPARATUS AND METHOD OF
THE SAME**

APPLICANTS FOR DO/EO/US

Kazue NAKAMURA

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)), including 8 sheets of formal drawings and a copy of the International Search Report.
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventors (35 U.S.C. 371(c)(4)).
10. ☐ The annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

PCT/ISA/210

Check No. 08334 for \$840.00

EXPRESS MAIL

MAILING LABEL NUMBER EL295739996US

DATE OF DEPOSIT DECEMBER 23, 1999

I hereby certify that this paper or fee is being
deposited

with the United States Postal Service "Express Mail
Post Office to Addressee" service under 37 CFR 1.10
on the

date indicated above and is addressed to: BOX PCT,
ASSISTANT COMMISSIONER FOR PATENTS,

WASHINGTON, D.C. 20231

Edward Nay

(Typed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

430 Rec'd PCT/PTO 23 DEC 1999

17. ☒ The following fees are submitted:

(CALCULATIONS /PTO USE ONLY)

Basic National Fee (37 CFR 1.492(a)(1)-(5):

Search Report has been prepared by the EPO or JPO.....\$840.00(\$840.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) (.....\$700.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) (but international search fee paid to USPTO (37 CFR 1.445(a)(2))...\$770.00(

Neither international preliminary examination fee (37 CFR 1.482) nor (international search fee (37CFR 1.445(a)(2) paid to USPTO.....\$1040.00 (

International preliminary examination fee paid to USPTO (37 CFR 1.482) (and all claims satisfied provisions of PCT Article 33(2)-(4).....\$96.00 (

ENTER APPROPRIATE BASIC FEE AMOUNT = (\$840.00 /

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐20 ☐30 (\$000.00 / months from the earliest claimed priority date (37 CFR 1.492(e)).

17 Claims /Number Filed / Number Extra /Rate (

Total Claims / 17 - 20 = / 0 /X \$18.00 (\$000.00 /

Independent Claims / 2 - 3 = / 0 /X \$78.00 (\$000.00 /

Multiple dependent claim(s) (if applicable) /+ \$260.00 (\$ /

TOTAL OF ABOVE CALCULATIONS = (\$840.00 /

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity (/ statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). (/

SUBTOTAL = (\$840.00 /

Processing fee of \$130.00 for furnishing the English translation later than (/ ☐20 ☐30 months from the earliest claimed priority date (37 CFR 1.492(f)).+ (\$) /

TOTAL NATIONAL FEE = (\$840.00 /

Fee for recording the enclosed assignments (37 CFR 1.21(h)). The assignment (/ must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + (\$ 0.00 /

TOTAL FEES ENCLOSED = (\$840.00 /

(Amount to be: /
(refunded /\$
(charged /\$

a. ☒ Our check in the amount of \$840.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 50-0320 in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0320. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**WILLIAM S. FROMMER
FROMMER LAWRENCE & HAUG LLP
745 FIFTH AVENUE
NEW YORK, NEW YORK 10151**

SIGNATURE

DENNIS M. SMID
NAME

Dated: DECEMBER 23, 1999

34,930
REGISTRATION NUMBER